

CITY OF BELMONT

PLANNING COMMISSION

SUMMARY MINUTES

TUESDAY, MARCH 17, 2009, 7:00 PM

Chair Parsons called the meeting to order at 7:01 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Mayer, Reed, Frautschi, Mathewson
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Associate Planner Gill (AP), City Attorney Zafferano (CA), Acting Recording Secretary Tompkins (ARS), Chief Building Official Nolfi (CBO), Fire Marshal Palisi (FM)

Chair Parsons and CDD de Melo congratulated Commissioner Mathewson, as well as Commissioners Mayer and Mercer, on their reappointments and welcomed them to the Commission.

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of February 17, 2009

Commissioner Mercer asked that the second paragraph under "Other Items" on page 7 be changed to read "..... piles of dirt on a property in the 1500 block of Ralston."

MOTION: By Commissioner Mayer, seconded by Commissioner Frautschi, to accept the Minutes of February 17, 2009 as corrected.

Ayes:	Mayer, Frautschi, Horton, Parsons, Mercer
Noes:	None
Abstain:	Reed, Mathewson
Motion passed	5/0/2

5. NEW BUSINESS

5A. 620 Alameda de las Pulgas – Final Driveway and Landscape Plan

AP Gill summarized the staff memorandum, recommending that the Landscape Plan be approved as proposed. In addition, he enumerated questions from the Commission that had been submitted prior to the meeting.

Doug Ford, applicant, responded to Commissioners' questions and concerns as follows:

1) Address the plans for the right-of-way area at the front left side of the property.
May pave in the future, but have no plans to do anything with it at this time.

2) Will the new plantings be irrigated?
Arborist recommended that they not make changes at this time, especially planting new lawns or any types

of material that require large amounts of water. He plans to leave the ivy, or if he does modify it, will use drought-tolerant materials. Due to the slope of the hill, he has not had to do much watering because it gets watered naturally.

3) Will the driveway layout include pavers that extend from the parking area to the curb?
17 x 18" pavers will come all the way to the street.

4) The choice of plantings are not draught tolerant.

He has been collecting trees in pots, which are in the back yard, with the intention of planting them when the construction project is completed. He currently has Chinese Cherry, Japanese Maples, Ginko Baloba, Weeping Japanese Cypress, Red Ash, River Maple, Date Palm, Hydrangeas, Small Bay, Crab Apple and Dogwood trees.

5) Will there be a trash enclosure incorporated into the landscape plan?

During the winter he keeps the trash can on the left side, convenient and hidden from public view and in the summer he moves it to the right side.

6) What surface material will be used on the proposed replacement retaining wall?

It will be consistent with the pavers. AP Gill added that staff will work with the applicant to make sure it meets Code since it will be seen from the public right-of-way.

Mr. Ford added that he enjoys gardening, and that he bought the property with the desire to landscape it so that it looks nice and is in keeping with the environment.

Commissioner Mayer asked if the reluctance to put in an irrigation system is due to financial considerations. Mr. Ford responded that he does not want to use a lot of water. He could do a drip irrigation system but will water by hand until he gets that in place. He may use a battery-operated system for the potted trees in the back yard, but he saw no reason for digging down and putting in piping and sprinkler systems. He will water by hand when he sees that plantings are starting to get stressed.

Commissioner Reed thanked the applicant for coming back with a nicely designed driveway that gets rid of the current dirt configuration, and understood that an irrigation plan was not necessary due to the annual nature of the garden. He was fine with the submittal.

Commissioner Frautschi felt that the landscape plan was lacking in that it did not indicate the full intent of the applicant. The plan did not indicate that he had the trees in the back yard, or that they would be incorporated into the landscape. All the Commission had to go on was what was in the plan. He noted that the yard is challenged because it is not sunny and had concerns that the large annual beds will not do well and that they will attract deer. He would have preferred to see a plant list of deer-resistant perennials. He added that the Commission does not always require an irrigation plan, but they do require that the applicant address those issues. He has seen the trash cans out for longer periods of time than allowed by the City's ordinance and would want to see something where the garbage cans are in a set place. He was also inclined to require some kind of plant material on the easement to prevent parking there, because City code says you cannot park on dirt because of the possibility of causing erosion onto the Alameda. In addition, he had expected to see what kind of materials the applicant intended to use for the driveway. He believed that the applicant's intentions were very good but the submittal could have been more thorough. He intended to vote for the project, but wanted to attach some conditions that would make it tighter.

Vice Chair Horton viewed this property is a woodland, natural landscape and did not have a problem with hand-watering the annual or perennial garden. She viewed the trash cans as a code enforcement issue and suggested that gravel might be a solution for the parking area, since parking off the street at that location would be a good thing.

Commissioner Mayer shared a lot of Commissioner Frautschi's concerns in that it would have been nice to have more information, but he saw nothing critically wrong that would prevent him from making the findings. Samples of the driveway material need to be submitted, and he agreed that something needs to be done at the parking area, possibly gravel. He did not want to see the parking spaces removed given the circumstances of traffic on the Alameda.

Commissioner Mercer was not concerned with the lack of an irrigation plan because it is a woodland area. Her concern was how the property looked from the street and suggested some ivy or vines that would green and soften the fence and whatever method would abate the mud and the weeds in front of the fence. She felt that the paver driveway would be a great improvement and that the applicant just needs to make sure to get the trash can behind the fence every morning.

Commissioner Mathewson concurred with most of what had been said, would reluctantly vote for it and encouraged the applicant to do something to make the fence and the area in front of it look better.

Chair Parsons stated that his concerns were close to Commissioner Mercer's. He thought it would be appropriate that the applicant submit a layout that shows where the potted plants are going, what the pavers are going to look like and a drawing that shows a defined boundary of where they are going. He also encouraged the applicant to plant something along the fence that is easily maintained, and suggested that crushed granite might be better than gravel, or that extending the pavers to the front would look nice. He felt that the project could be approved with a condition that it is brought back with some of those items to be looked at administratively. He added that they include a defined set of drawings that show where the plants are going, how wide the driveway is going to be and where it will be relative to the property line, and how much of the area will be gravel, so that there is a record of what was promised.

MOTION: By Commissioner Mercer, seconded by Vice Chair Horton, adopting the Resolution approving a Final Landscape Plan for 620 Alameda de las Pulgas (Appl. 2008-0054) with the added conditions that the applicant return to Planning a completed illustration clarifying the boundaries of the driveway pavers, a surface material in concurrence with Planning recommendation for the area in front of the fence, a weed-abatement program for the area in front of the fence, and a designated color selection for the driveway materials.

Chair Parsons suggested a "friendly amendment" to the above motion – that it include a condition calling for an illustration of where the listed trees will be placed. The amendment was not accepted by Commissioner Mercer as it was not her intention to include anything behind the fence. After this discussion, the following vote was taken on the original motion.

Ayes: Mercer, Mayer, Reed, Horton
Noes: Frautschi, Parsons
Abstain: Mathewson

Motion passed 5/2/1

Commissioner Frautschi noted that he voted against the motion because some crucial conditions he had wanted to include were omitted. Commissioner Mathewson abstained because he was not on the Commission at the time of the original project Design Review.

CDD de Melo stated that staff will assure that the items requested by the Commission will be documented as part of the public record for this project.

Chair Parsons announced that this item can be appealed to the City Council within ten calendar days.

6. STUDY SESSIONS/SPECIAL PRESENTATIONS

6A. Wildland Urban Interface/Vegetation Management Program (Verbal Report)

By way of introduction, CBO Nolfi stated that he and FM Palisi had prepared an abbreviated presentation of Wildland Urban Interface Codes that will affect many communities in California, adding that the appearance of structures and landscaping where wildlands interface with urban areas will be impacted.

The following is a brief summary of their reports.

FM Palisi:

The Wildland-Urban Interface Code (WUI) is the result of wildfires that spread to homes and accessory structures causing significant property damage and even loss of life; WUI is best defined as the point where

the fuel for a fire transitions from natural vegetation to structures. Following the Oakland Hills fire in 1991, the Bates Bill was passed that required the State Fire Marshall (SFM) to define Very High Fire Hazard Severity Zones (VHFHSZ) maps in California; these zones are divided between State Responsibility Areas (SRA) and Local Responsibility Areas (LRA). Properties located within these zones are subject to material and construction methods appropriate for the exposure to wildfires. In other words, the materials for construction are either non-combustible or ignition-resistant. He displayed maps were recently released by the SFM; local jurisdictions are now required to adopt them. An Ordinance adopting the maps and amending them for local conditions was brought before the Belmont-San Carlos Fire District the previous week and was scheduled for first reading in April.

CBO Nolfi reported as follows:

The VHFHSZ for the City of Belmont runs west of Alameda de Las Pulgas and south of Ralston Avenue. In concert with CBO Nolfi and the Building Official for San Carlos, FM Palisi extended the area of consideration to encompass all lands west of the Alameda from the border of San Mateo to Redwood City. Extending the area accordingly would capture high fire areas such as the San Juan Canyon. The local Ordinance proposed by the Belmont-San Carlos Fire Department would now include these areas as High Fire Hazard Severity Zones (HFHSZ), as well as the VHFHSZ mandated by the State. When adopted, the ordinance will require new construction and substantial remodeling to meet the following:

- Roof coverings must have a fire rating of Class A.
- Exterior walls must either be fire-ignition resistant or non-combustible construction.
- Windows must be tempered, glass block, or 20-minute fire rated.
- Doors must be solid core, non-combustible, or 20-minute fire rated.
- Decks, balconies, cantilevers, etc., must either be fire-ignition resistant or non-combustible construction.
- Accessory structures greater than 120 square feet are treated like new construction.
- A defensible landscape space of 100 feet or to the property line (whichever comes first), will be created and maintained.

Following the reports, the presenters answered questions from the Commission.

7. OLD BUSINESS

7A. Discussion Regarding Municipal Code Section 25 – Tree Ordinance

CDD de Melo summarized the staff memorandum, and thanked Commissioners for their feedback on the Ordinance. He confirmed that Commissioners Frautschi and Mercer had previously been elected by the Commission to form a subcommittee with representatives from the Parks and Recreation Commission to look at draft text amendments, and that a blended Tree Board will be established consisting of representatives from both Commissions.

Commissioner Mayer expressed an interest on being appointed to the subcommittee, in view of his interest in making the document simpler than the way it is presently worded.

Motion: By Chair Parsons, seconded by Vice Chair Horton, to add Commissioner Mayer to the Tree Ordinance Subcommittee passed unanimously by a show of hands.

Commissioner Mercer asked for brief comments from the remaining Commissioners in preparation for the work of the subcommittee.

Chair Parsons stated that he agrees that the document can be simplified and he had concerns about old but valuable trees that are often cut down for the sake of building a new house. He cited Magnolias and Japanese Maples that never reach six inches but are beautiful and are not protected. He felt that rather than being concerned about the inch size they should be more concerned about the species.

Vice Chair Horton agreed with written comments made by Commissioner Frautschi before the meeting that philosophically the document needs to be tied back to values. CDD de Melo interjected that a better purpose statement is needed. Some species need to be looked at in terms of fire resistance.

Commissioner Reed stated that one of his major concerns is to make it simple, clear and easy to understand, so that people do not do things on the sly because it is too difficult to deal with the City. He was also concerned that they get feedback from the public via outreach efforts. He has had conversations

with some residents who have very strong views on this subject as a matter of personal freedom and invasion of privacy. CDD de Melo stated that one of the biggest issues is how to provide notice to all 10,000 households, and noted that there were no members of the public at this meeting, even though they were looking at potentially significant policy changes to a key document. Chair Parsons added that there will be plenty of public hearings once the document is drafted.

Responding to Commissioner Matheson's question about eucalyptus of all varieties being mentioned as high-risk species, CDD de Melo stated that some varieties do not have the same fire issues.

Commissioner Mayer concurred with Commissioner Reed that they do not want to have an Ordinance that sets itself up for opposition by the public and would invite people to flout the rules.

Commissioner Mathewson noted that the current Ordinance does not say anything about fines being deposited into the tree fund. CDD de Melo responded that he believed that if a tree is illegally cut down, any fines associated with that removal should go directly to the tree fund. Commissioner Mercer preferred that they be called "carbon offset fees" instead of "fines."

In conclusion, CDD de Melo stated that, once the Ordinance is adopted, he envisioned preparing a handout with Frequently Asked Questions similar to the one prepared for the amended Noise Ordinance in 2006, and adding information to the Belmont Answer Book.

8. REPORTS, STUDIES AND UPDATES: CDD de Melo reported as follows:

8A. Motel 6 – 1101 Shoreway Road
No update at this time.

8B. NDN (Koret) Athletic Field
City staff is going to make one more attempt to assemble the Athletic Field Task Force to try to get a sense as to any potential amendments to the Conditional Use Permit, and then they would like to move towards getting this item back to the Commission in the not-too-distant future.

8C. Charles Armstrong School – 1405 Solana Drive
No update at this time.

8D. Ralston/US-101 Landscape Project
No update at this time.

8E. San Mateo Development – North Road/43rd Avenue
Staff continues to work with the City of San Mateo staff and the applicant on project issues. AP Walker had forward an email to Chair Parsons and Commissioner Reed to solicit feedback. Chair Parsons stated that he would like to meet with the City Attorney and Commissioner Reed before meeting with AP Walker. CA Zafferano interjected that a meeting was being planned to include all of everybody.

8F. 900 Sixth Avenue – Belmont Vista Facility
He informed the property owner that the large sign at the very end of Hill Street is clearly not on their property. Staff's next task is to confirm whether or not there is a Condition of Approval as part of that development that spoke to this issue. He will continue to work with the property owner.

8G. Caltrain Landscape Area
No update at this time.

8H. Vanea Auto – 900 El Camino Real
No update at this time.
VC Horton stated that Vanea Auto is for sale.

8I. Parking Study – Downtown Village Areas
No update at this time.

8J. High-Speed Train (HST) Project – San Francisco to San Jose

A subcommittee has been formed consisting of the City Manager, Vice Mayor Wozniak, Chair Parsons, Denny Lawhern and CDD de Melo to create a list of questions and comments that could be forwarded to the High-Speed Rail Authority to meet their April 6th deadline relative to the scoping comments process prior to the EIR. Discussions with the City Manager's office and some members of Council have concluded that the High-Speed Rail group should be invited to make a presentation before the City Council.

Other Items

CDD de Melo reported that an item relative to 1301 Ralston Avenue for the Ralston Village, originally noticed for this meeting, was continued to the April 7th meeting. He also hoped to have a Study Session on the Housing Element at that meeting. The General Plan policy amendments for the downtown village areas are tentatively scheduled for the May 19th meeting.

Commissioners were reminded that the Mayor's State-of-the-City address is scheduled for March 31st at 6:00 p.m. in the new Carlmont High School auditorium.

Chair Parsons commented that it became obvious to him on listening to feedback on the Commission interviews that several of the Council members are interested in the Planning Commission playing a more proactive role on long-term development issues.

Commissioners asked about sign problems at the 101 restaurant (formerly Dairy Bell), the gyro restaurant, and the tattoo parlor. CDD de Melo stated that staff has a sign application for 101 and will look into the other sites. He added that he is hopeful that over time, with acquisitions and redevelopments, the sign issues on El Camino will go away.

Commissioner Mayer quoted from an article in the Chronicle that referred to the hedge-covered chain link fence that is around the bank, and asked that staff work with the bank to at least halve the size of the fence.

7. CITY COUNCIL MEETING OF TUESDAY, MARCH 24, 2009

Liaison: Commissioner Mayer

Alternate Liaison: Commissioner Reed

8. ADJOURNMENT:

The meeting was adjourned at 9:15 p.m. to a Regular Planning Commission Meeting on Tuesday, April 7, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

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Community Development Department.
Please call (650) 595-7417 to schedule an appointment.